

were false and misleading since the article was of no value in checking those conditions in livestock or in furnishing relief from any irritation of the digestive tract. The article was alleged to be misbranded further in that its container (1-pound size) was so filled as to be misleading since the contents occupied only about 57 percent of the volume of the container.

On February 27, 1945, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1548. Misbranding of Franklin Gi-Co, Franklin Udder-Eze, and Franklin N-C-K Compound. U. S. v. 20 Bottles of Franklin Gi-Co, 51 Jars of Franklin Udder-Eze, 21 Boxes of Franklin N-C-K Compound, and 30 booklets. Default decree of destruction. (F. D. C. No. 14879. Sample Nos. 69981-F, 69982-F, 69984-F.)

On January 12, 1945, the United States attorney for the District of Utah filed a libel against 20 bottles of Franklin Gi-Co, 51 jars of Franklin Udder-Eze, 21 boxes of Franklin N-C-K Compound, and 30 booklets entitled "Franklin Vaccines and Supplies Catalog No. 44" at Salt Lake City, Utah, alleging that the O. M. Franklin Serum Co. had shipped the articles from Denver, Colo., between the approximate dates of October 9 and November 7, 1944, and the booklets on or about October 11, 1944, and that the booklets accompanied the articles when they were introduced into and while they were in interstate commerce.

Examination of a sample of the Franklin Gi-Co showed that it was essentially a mixture containing alcohol, cresol, and an emulsifying agent, and volatile oils including oil of eucalyptus. The article was alleged to be misbranded in that the statements in the accompanying booklet, "For use in the treatment of certain infections of the respiratory and intestinal tract of horses, cattle, sheep, swine and poultry. Especially effective when used in drinking water for poultry, or in a mash or slop feed. * * * for herd or flock treatment. * * * when given internally is absorbed by the mucous membrane of the intestines and eliminated through the respiratory tract and kidneys," were false and misleading since the article would not be effective in the treatment of respiratory diseases of poultry or other animals.

Examination of a sample of the Franklin Udder Eze showed that it was essentially a mixture of petrolatum, lanolin, methyl salicylate, creosote, and salicylic acid. The article was alleged to be misbranded in that the statements in the accompanying booklet, "For treatment of inflammatory conditions of the udder in cows, mares, ewes and sows. In treating cows, best results are obtained by using in conjunction with Bovine Mixed Bacterin Formula 2. * * * Apply ointment at least twice daily, massaging the affected parts thoroughly at each application. Massaging will assist in * * * reducing inflammation. In severe cases, * * * the ointment will prove very beneficial. * * * for eczema and for sprains, bruises, rheumatic swellings, throat inflammation," were false and misleading since the article would not be effective in the treatment of the conditions mentioned.

Examination of a sample of the Franklin N-C-K Compound showed that it was essentially a mixture including copper sulfate, nicotine, saponifiable oil, and ground soy bean. The article was alleged to be misbranded in that the statements in the accompanying booklet, "A popular and easily administered toner or conditioner. * * * Animals put on weight while being treated and increased appetite will be noted following treatment," were false and misleading since the article would not be effective to fulfill the promises of benefit stated and implied by those statements.

On March 10, 1945, no claimant having appeared, judgment was entered ordering that the product, including the booklets, be destroyed.

1549. Misbranding of Star Sulphur Compound. U. S. v. 13½ Dozen Bottles and 21½ Dozen Bottles of Star Sulphur Compound, and 198 leaflets. Default decree of condemnation and destruction. (F. D. C. No. 15750. Sample Nos. 23909-H, 23918-H.)

On March 27, 1945, the United States attorney for the Northern District of Alabama filed a libel against 13½ dozen 6-ounce bottles and 21½ dozen 2-ounce bottles of Star Sulphur Compound, and 198 leaflets entitled "Star Sulphurous Compound Poultry Raising Made Easy," at Birmingham, Ala., alleging that the article and the leaflets had been shipped on or about October 17, 1944, by the Star Chemical Co., Arlington, Tex.

Examination showed that the article consisted of a lime and sulfur solution. The article was alleged to be misbranded in that certain statements in the leaflets were false and misleading since they represented and suggested that the article was effective in ridding the intestines of poultry of germs and worms,